

### REMARKS

Claims 1-36 are pending in the present application. Claims 3, 4, 11, 15, 16, 23, 27, 28, and 35 were amended to place those claims in independent format. Reconsideration of the claims is respectfully requested.

#### **I. 35 U.S.C. § 102, Anticipation**

The examiner has rejected claims 1, 2, 5-10, 12-14, 17-22, 24-26, 29-34, and 36 under 35 U.S.C. § 102(c) as being anticipated by Dorr, Countdown On-Line Auction Clock. This rejection is respectfully traversed because Dorr does not disclose all of the limitations of claim 1.

Regarding claim 1, the examiner states that:

As to claims 1, and 17, and related claim 25, Dorr discloses a system and method in a data processing [on-line auctioning] system including a server computer system [on-line auction server], which includes a server clock [server clock is inherent to the server computer], coupled to a client computer system [user computer], which includes a display and a client clock [display device and clock are inherent to the user computer], for generating and displaying, in said client computer system, a local server clock [300, clock] which is synchronized with said server clock [auction server time] utilizing said client clock [user computer's processor time][to place user's computer in sync with official time of the on-line auction server, para 0023 on page 2], said method comprising the steps of:

(a) requesting data [requesting a SEARCH RESULTS] from said server computer system [on-line auction server] to be displayed on said client computer system's display [user computer display];

(b) receiving said data [receiving web pages] from said server computer system [on-line auction server] by said client computer system [user's computer];

(c) said client computer system [user's computer] determining a current time [official time] indicated by said server clock [on-line auction server clock]; said client computer system generating a local server clock [300]; thereafter, updating [by comparing and correlating user computer processor time with official auction time obtained from on-line auction server] said local server clock utilizing said client clock; and

(d) displaying said data [auction item] and said local server clock [300] together on said display [para 0008, 0018 - 0024 on page 1 - 2, fig.3, 5 - 7].

Claim 1 provides as follows (emphasis added):

A method in a data processing system including a server computer system, which includes a server clock, coupled to a client computer system, which includes a display and a client clock, for generating and displaying, in said client computer system, a local server clock which is synchronized with said server clock utilizing said client clock, said method comprising the steps of:

requesting data from said server computer system to be displayed on said client computer system's display;  
receiving said data from said server computer system by said client computer system;  
said client computer system determining a current time indicated by said server clock;  
*said client computer system generating a local server clock;*  
*thereafter, updating said local server clock utilizing said client clock; and*  
*displaying said data and said local server clock together on said display.*

Dorr does not show the emphasized text. Namely, Dorr does not show a client computer system generating a local server clock, thereafter updating said local server clock utilizing said client clock, and displaying said data and said local server clock together on said display. Thus, Dorr does not anticipate claim 1.

The examiner asserts that Dorr does show the emphasized text, indicating item 300 of Figure 3 in Dorr, stating that Dorr shows "comparing and correlating user computer processor time with official auction time obtained from on-line auction server", and generally by referring to paragraphs 0008 and 0018-0024 and to figures 3 and 5-7. However, the examiner misapprehends the cited text. The cited text provides as follows:

[0008] The present invention provides a unique and novel countdown time independent of the auction service and based upon the user's own computer time.

...

[0018] The present invention provides a unique *countdown or time left indicator* that ties the on-line auction service official time to the time of the user's computer. As shown in FIG. 4, the present invention enters stage 400 which is the conventional stage of entering the screen 300 for an item being auctioned as shown in FIG. 3. In stage 410 of the present invention, as soon as the screen 300 is displayed on a user's computer, the method obtains the processor time from an internal memory field 420 in the user's

processor, not shown. In stage 430 the obtained processor time is compared to the time left 340 for the auction. *The time left based upon the processor time (hereinafter referred to as Count Down time) is now displayed in stage 440.*

[0019] *This provides the Count Down time based upon a user's computer for the time left 340.* This eliminates any misunderstanding by a prospective bidder or an actual bidder. In FIG. 5, the auction screen 300 is shown with the addition of a special graphic icon 510 that shows, in the preferred embodiment, a clock face 520 with a indicator 530 moving in the direction of arrow 540 to the end of the auction 550. Any suitable markings 532 such as minutes, seconds, or combinations thereof can be utilized. Furthermore, as shown in FIG. 6, different graphical icons such as 510a, 510b, 510c, 510d can be utilized at the time countdown towards zero 550. For example, with 60 minutes left the icon 510a can be utilized to provide the full 60 minutes. There can be a 30-minute icon 510b, a ten-minute icon 510c, and a one-minute icon 510d. The graphical icon 510 itself can be any suitable graphic representation with or without accompanying audio effects.

[0020] The present invention makes it readily apparent to the user without any mental calculations whatsoever as to how much time is left based upon the processor time of the user.

[0021] In summary, for this to operate effectively, in stage 110, the processor time is obtained either simultaneously upon entering the auction screen 300 in stage 100 or shortly thereafter. For example, the auction service can issue a tone which can be detected to accurately correlate time. *In an alternate embodiment, a separate icon 700 can be displayed on screen 200 and it then becomes the option of the prospective bidder to provide a countdown based upon his or her processor internal time.* When stage 110 is entered and icon 400 is clicked on by the prospective bidder then at that time the compare between the processor time 120 and the official auction time 160 occurs in stage 130. Again, icon 400 can be any suitable icon or graphical image or combination of graphical image and audio sound. *The count down time 440 is then displayed showing the auction's time left 150 correlated to the user's computer time.*

[0022] It is to be expressly understood that the date/time properties of an individual's computer for the above discussed embodiment, the software FIG. 4 can either be offered as an integrated additional feature of the on-line service or it is possible to add on

software service for an individual user's computer. The first approach is preferred.

[0023] In yet another embodiment of the present invention, in stage 430 if the user's processor time 420 is different from the official time of the auction on-line service, the method of the present invention in stage 430 would *set the time of the user's computer to the official time so as to place the user's computer in sync with the official time of the on-line auction service.*

[0024] In FIG. 8, the operating environment of the present invention in relation to the on-line auction service is shown. The on-line auction service 800 is conventionally interconnected with a communication network 810 over the communication link 820. Likewise, a bidder's processor 830 is interconnected over a communication link 840 to the network. It is to be expressly understood that the communication network 810, the communication links 820 and 840 can be any of a number of conventional approaches and that one skilled in the art can readily set up an Internet business for communication to a stand-alone processor 830 at an individual's home or office.

Dorr, paragraphs 8 and 18-24 (emphasis added).

As the emphasized text shows, Dorr only shows calculating and displaying a count-down clock that shows the amount of time left in the auction. Dorr also mentions updating the client's clock to the server's clock. However, Dorr does not show *generating a local server clock*, updating said local server clock utilizing the said client clock, or *displaying* said data and *said local server clock* together on said display, as claimed in claim 1. Accordingly Dorr does not anticipate claim 1.

Although the examiner cites Figure 3 and Figures 5-7 from Dorr to support the rejection, those figures only emphasize that Dorr does not anticipate claim 1. Figure 3 from Dorr is as follows:

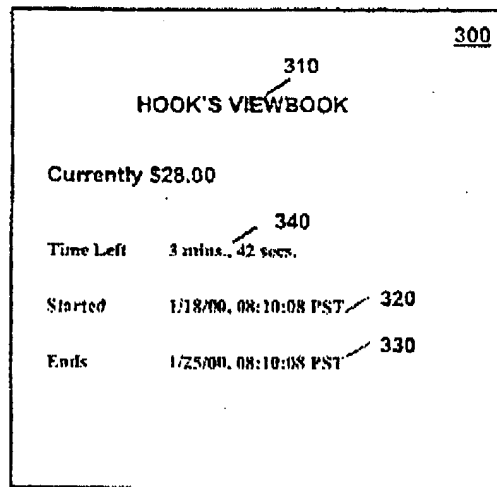


Figure 3  
Prior Art

Figure 3 shows displaying the time left to a bid, the start time, and the end time from the perspective of the auction site server. However, the *local server clock* generated by the claimed method is not shown or suggested by this figure. Thus, Figure 3 does not show claim 1.

Figure 5 from Dorr is as follows:

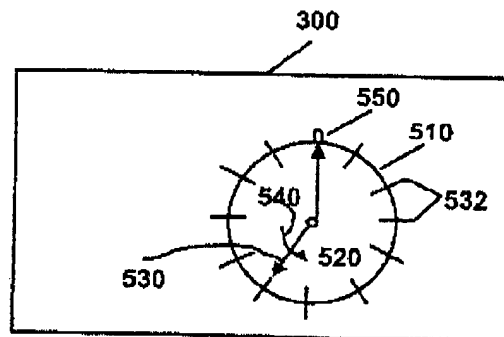


Figure 5

Figure 5 shows displaying a count-down clock. As described in paragraph 19, quoted above, the count down clock does not show a locally generated clock as claimed. Instead, only the time left in the auction is displayed. Thus, Figure 5 does not show claim 1.

Figure 6 from Dorr is as follows:

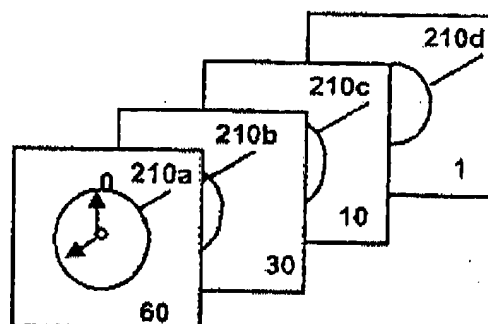


Figure 6

Figure 6 shows only that different graphical icons can be utilized as the time count-down proceeds towards zero, as described in paragraph 19 quoted above. However, all of the images shown in Figure 6 show count-down clocks, not a locally generated server clock as claimed. Thus, Figure 6 does not show claim 1.

Figure 7 is as follows:

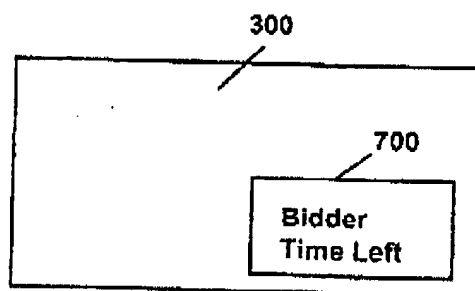


Figure 7

Figure 7 explicitly shows that the displayed time (item 700) is the time left in the auction. The local server clock showing the server time is not displayed. Thus, Figure 7 does not show claim 1.

Because none of the figures and none of the text cited by the examiner show all of the limitations of claim 1, and because nothing in Dorr shows all of the limitations of claim 1, Dorr does not anticipate claim 1. Accordingly, the rejection of claim 1 has been overcome.

Independent claims 1, 13, and 25 all contain similar limitations to those discussed with regard to claim 1. Thus, Dorr does not anticipate claims 13 and 25. Accordingly, the rejection of claims 13 and 25 have also been overcome.

Since claims 2, 5-10, 12, 14, 17-22, 24, 26, 29-34, and 36 depend from claims 1, 13, or 25, the same distinctions between Dorr and claim 1 can be made for these claims. Additionally, these claims claim other additional combinations of features not suggested by Dorr. For example, with respect to claim 2, Dorr does not disclose incrementing said local server clock utilizing the client clock because Dorr does not disclose generating a server clock in the first place. Consequently, it is respectfully urged that the rejection of claims 1, 2, 5-10, 12-14, 17-22, 24-26, 29-34, and 36 has been overcome.

Furthermore, Dorr does not teach, suggest, or give any incentive to make the needed changes to reach the presently claimed invention. Absent the examiner pointing out some teaching or incentive to implement generating a local server clock on the client computer in view of Dorr, one of ordinary skill in the art would not be led to modify Dorr to reach the present invention when the reference is examined as a whole. Absent some teaching, suggestion, or incentive to modify Dorr in this manner, the presently claimed invention can be reached only through an improper use of hindsight using the applicants' disclosure as a template to make the necessary changes to reach the claimed invention. Thus, the claims are also not obvious in view of Dorr.

## **II. Objection to Claims**

The examiner has stated that claims 3, 4, 11, 15, 16, 23, 27, 28, and 35 are objected to as being dependent upon rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, the claims have been rewritten to overcome this objection.

**III. Conclusion**

It is respectfully urged that the subject application is patentable over Dorr and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,



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